

REMARKS

Claims 1-64 are pending. By this Amendment, claims 26, 34, 40, 46, 52, 58 and 64 are amended to address the 35 U.S.C. §112, second paragraph rejection. No new matter is added.

I. Information Disclosure Statement

The March 23, 2005 Office Action erroneously stated on page 2 that "the information disclosure statement filed July 14, 2004 fails to comply with the provisions of 37 C.F.R. 1.97, 1.98 and MPEP §609 because the information disclosure statement does not comply with 37 C.F.R. 1.98(3)(ii), no English language translation of a non-English language document or portion thereof has [sic] submitted for the crossed-out document." In addition, the PTO-1449 returned with the Office Action crossed-out all Japanese references that were listed on it.

However, all of the Japanese references were cited in the International Search Report from the International (PCT) Stage of this application. An English-language translation of that Search Report was submitted with the July 14, 2004 Information Disclosure Statement, and is re-submitted herewith. This is the second time that an Information Disclosure Statement along with the translated Search Report has been submitted to the Patent Office. All of these documents were originally submitted on September 12, 2002, but had been overlooked by the previous Examiner of this application.

As indicated in MPEP 609, part III.A(3), "where the information [submitted in an Information Disclosure Statement] listed is not in the English language, but was cited in a Search Report or other action by a foreign Patent Office in a counterpart foreign application, the requirement for a concise explanation of relevance can be satisfied by submitting an English-language version of the Search Report or other action which indicates the degree of relevance found by the foreign office." In addition, MPEP 609, part II indicates that "the Examiner will consider the documents cited in the International Search Report in a PCT

National Stage application when the Form PCT/DO/E0/903 indicates that both the International Search Report and the copies of the documents are present in the National Stage file." For both of these reasons, the Examiner must consider the Japanese references identified in the PTO-1449 originally filed September 12, 2002, resubmitted with the Information Disclosure Statement filed July 14, 2004, and again submitted herewith.

The Examiner is requested to place his initials adjacent to the Japanese references on the attached PTO-1449, demonstrating his consideration of the subject information, and to return an initialed copy of the PTO-1449 with the next Patent Office communication.

II. All Pending Claims are Patentable.

Applicant notes with appreciation the allowance of claims 1-25, 27-33, 35-39, 41-45, 47-51, 53-57 and 59-63. Applicant submits that all pending claims are in condition for allowance.

Claims 26, 34, 40, 46, 52, 58 and 64 stand rejected under 35 U.S.C. §112, second paragraph. Applicant respectfully submits that the above amendments to these claims overcome the rejection. The claims clearly are directed to a light irradiation apparatus that includes the laser device recited in the various independent claims of this application and an optical system optically connected to the laser device. Withdrawal of the rejection and allowance of all pending claims is requested.

III. Conclusion

In view of the foregoing, Applicant respectfully submits that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicant's undersigned attorney at the telephone number listed below.

Respectfully submitted,



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MAC/ccs

Attachments:

PTO-1449

Translated International Search Report
Petition for Extension of Time

Date: July 25, 2005

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